

# RETURN

(40d.)

To an Address of the House of Commons, dated November 29, 1911, for a copy of all correspondence between the Government of Canada and His Majesty's Government subsequent to the last Imperial Conference, concerning the Naval Service of Canada, and in any way connected with it.

W. J. ROCHE,

*Secretary of State.*

OTTAWA, February 15, 1912.

*From the Secretary of State for the Colonies to the Governor General:*

No. 1.

Canada.

No. 486.

DOWNING STREET, June 21, 1911.

MY LORD,—I have the honour to transmit to you for the information of your Ministers, the papers noted in the subjoined schedule on the subject of the employment of Commander Walter Hose, in command of the *Rainbow*.

I have, &amp;c.,

L. HARCOURT.

The Officer Administering  
the Government of Canada.

Name.

Description.

June 14.

From the Admiralty.

Enclosure in No. 1.

(C.W.—11087.)

ADMIRALTY, June 14, 1911.

SIR,—I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Secretary of State for the Colonies, that they have approved of the services of Commander Walter Hose being lent to the Canadian Government for a period of two years for command of the *Rainbow*, in succession to Commander J. D. D. Stewart.

2. Commander Hose will be available to proceed to Canada after the end of next week.

3. The High Commissioner for Canada has been informed.

I am, &amp;c.,

(Signed). C. I. THOMAS.

The Under Secretary of State,  
Colonial Office, S.W.



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## No. 2.

*From the Secretary of State for the Colonies to the Governor General:*

Telegram.

LONDON, July 11, 1911.

*Immediate.*—Please inform Brodeur that it is understood by the Admiralty that time of publication of arrangement with regard to Dominion Naval Force would be settled in concert as was done in 1909, and that in the meantime terms will not be made public. You will be informed later as to proposed time for publication. Copy goes to you by next mail.

HARCOURT.

## No. 3.

*From the Secretary of State for the Colonies to the Governor General.*

Canada.

No. 561.

DOWNING STREET, July 12, 1911.

MY LORD,—I have the honour to request that Your Excellency will inform your Ministers that I have duly laid before His Majesty the King a telegram of congratulation on the occasion of His Coronation, from the Officers and Men of the Canadian Navy, which was forwarded through Admiral C. E. Kingsmill.

His Majesty received this message with much pleasure and commanded me to request you to convey through your Ministers an expression of His sincere thanks to the Officers and Men of the Canadian Navy.

I have the honour to be, My Lord,

Your Lordship's most obedient humble servant,

(Signed) L. HARCOURT.

GOVERNOR GENERAL,

HIS EXCELLENCY,

THE RIGHT HONOURABLE,

EARL GREY, G.C.M.G., G.C.V.O., &amp;c., &amp;c., &amp;c.

## No. 4.

*From the Secretary of State for the Colonies to the Governor General:*

Canada.

No. 573.

DOWNING STREET, July 14, 1911.

MY LORD,—I have the honour to transmit to Your Excellency, to be laid before your Ministers, the accompanying copies of a memorandum of Conferences between the British Admiralty and representatives of the Dominions of Canada and Australia on the subject of the Status of Dominion Navies.

2. This matter was mentioned at the last meeting of the Imperial Conference on the 20th June, and it was agreed that it should be published simultaneously in this country and in Canada and the Commonwealth.

3. I have asked the Governor General of the Commonwealth to inform me by telegraph when it is proposed to publish the memorandum there, and I shall at



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once telegraph to you so that arrangements may be made for a simultaneous issue of the report in Canada.

I have the honour to be, My Lord,

Your Lordship's most obedient humble servant,

(Signed) L. HARCOURT.

GOVERNOR GENERAL,

HIS EXCELLENCY,

THE RIGHT HONOURABLE,

EARL GREY, G.C.M.G., G.C.V.O., &c., &c., &c.

Enclosure in No. 4.

MEMORANDUM OF CONFERENCES BETWEEN THE BRITISH ADMIRALTY AND REPRESENTATIVES OF THE DOMINION OF CANADA AND AUSTRALIA.

The Naval services and forces of the Dominions of Canada and Australia will be exclusively under the control of their respective governments.

2. The training and discipline of the naval forces of the Dominions will be generally uniform with the training and discipline of the fleet of the United Kingdom, and, by arrangement, officers and men of the said forces will be interchangeable with those under the control of the British Admiralty.

3. The ships of each Dominion naval force will hoist at the stern the white ensign as the symbol of the authority of the Crown, and at the jack-staff the distinctive flag of the Dominion.

4. The Canadian and Australian governments will have their own naval stations as agreed upon and from time to time. The limits of the stations are as described in Schedule (A), Canada, and Schedule (B), Australia.

5. In the event of the Canadian or Australian government desiring to send ships to a part of the British Empire outside of their own respective stations, they will notify the British Admiralty.

6. In the event of the Canadian or Australian government desiring to send ships to a foreign port, they will obtain the concurrence of the Imperial government, in order that the necessary arrangements with the Foreign Office may be made as in the case of ships of the British Fleet, in such time and manner as is usual between the British Admiralty and the Foreign Office.

7. While the ships of the Dominions are at a foreign port a report of their proceedings will be forwarded by the officer in command to the Commander-in-Chief on the station or to the British Admiralty. The officer in command of a Dominion ship so long as he remains in the foreign port will obey any instructions he may receive from the government of the United Kingdom as to the conduct of any international matters that may arise, the Dominion Government being informed.

8. The Commanding Officer of a Dominion ship having to put into a foreign port without previous arrangement on account of stress of weather, damage, or any unforeseen emergency will report his arrival and reason for calling to the Commander-in-Chief of the station or to the Admiralty, and will obey, so long as he remains in the foreign port, any instructions he may receive from the Government of the United Kingdom as to his relations with the authorities, the Dominion Government being informed.

9. When a ship of the British Admiralty meets a ship of the Dominions, the Senior Officer will have the right of command in matters of ceremony or international intercourse, or where United action is agreed upon, but will have no power to direct the movements of ships of the other service unless the ships are ordered to co-operate by mutual arrangement.



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10. In foreign ports the senior officer will take command, but not so as to interfere with the orders that the junior may have received from his own Government.

11. When a court-martial has to be ordered by a Dominion and a sufficient number of officers are not available in the Dominion service at the time, the British Admiralty, if requested will make the necessary arrangements to enable a Court to be formed. Provision will be made by order of His Majesty in Council and by the Dominion Governments respectively to define the conditions under which officers of the different services are to sit on joint courts-martial.

12. The British Admiralty undertakes to lend to the Dominions during the period of development of their services, under conditions to be agreed upon, such flag officer and other officers and men as may be needed. In their selection preference will be given to officers and men coming from, or connected with, the Dominions, but they should be all volunteers for the service.

13. The service of the officers of the British fleet in the Dominion naval forces, or of officers of these forces in the British fleet, will count in all respects for promotion, pay, retirement, &c., as service in their respective forces.

14. In order to determine all questions of seniority that may arise, the names of all officers will be shown in the navy list and their seniority determined by the date of their commissions, whichever is the earlier, in the British, Canadian, or Australian services.

15. It is desirable, in the interests of efficiency and co-operation, that arrangements should be made from time to time between the British Admiralty and the Dominions for the ships of the Dominions to take part in fleet exercises or for any other joint training considered necessary under the senior naval officer. While so employed, the ships will be under the command of that officer who would not, however, interfere in the internal economy of ships of another service further than absolutely necessary.

16. In time of war when the naval service of a Dominion, or any part thereof, has been put at the disposal of the Imperial Government by the Dominion authorities, the ships will form an integral part of the British fleet, and will remain under the control of the British Admiralty during the continuance of the war.

17. The Dominions having applied to their naval forces the King's Regulations and Admiralty instructions and the Naval Discipline Act, the British Admiralty and Dominion Governments will communicate to each other any changes which they propose to make in these Regulations or that Act.

June, 1911.

#### SCHEDULE (A).

##### CANADA.

The Canadian Atlantic Station will include the waters north of 30° north latitude and west of the meridian of 40° west longitude.

The Canadian Pacific Station will include the waters north of 30° north latitude and east of the meridian of 180° longitude.

#### SCHEDULE (B).

##### AUSTRALIA.

The Australian Naval Station will include:—

On the North—From 95° east longitude by the parallel of 13° south latitude to 120° east longitude, thence north to 11° south latitude, thence to the boundary with Dutch New Guinea of the south coast in about longitude 141° east, thence along the



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coast of British New Guinea to the boundary with German New Guinea in latitude  $8^{\circ}$  south, thence east to  $155^{\circ}$  east longitude.

On the east—By the meridian of  $155^{\circ}$  east longitude to  $15^{\circ}$  south latitude, thence to  $28^{\circ}$  south latitude on the meridian of  $170^{\circ}$  east longitude, thence south to  $32^{\circ}$  south latitude, thence west to the meridian of  $160^{\circ}$  east longitude, thence south.

On the South—By the Antarctic Circle.

On the West—By the meridian of  $95^{\circ}$  east longitude.

## No. 5.

Telegram.

*From the Governor General to the Secretary of State for the Colonies:*

OTTAWA, July 25, 1911.

*Most urgent.*—Your despatch of July 14, No. 573. Prime Minister would be very grateful if permission could be given to lay enclosure before Parliament immediately. He wishes if possible to lay it simultaneously with full report of proceedings of Imperial Conference just received and is anxious not to have to wait till memorandum of Conference on naval question is received in Australia. Please telegraph reply as soon as possible.

GREY.

## No. 6.

*From the Deputy Minister of the Naval Service to the Under-Secretary of State for External Affairs:*

OTTAWA, August 3, 1911.

SIR,—I have the honour to acknowledge receipt of your communication of 29th ultimo, forwarding copy of Despatch No. 573 from the Honourable the Secretary of State for the Colonies to His Excellency the Governor General, dated July 14, 1911, on the subject of the Status of Dominion Navies.

This Despatch has been placed before my Minister.

I am, &c.,

G. J. DESBARATS,

*Deputy Minister.*

The Under-Secretary of State  
for External Affairs,  
Ottawa.

## No. 7.

*From the Secretary of State for the Colonies to the Governor General:*

CANADA.

No. 650.

DOWNING STREET, August 3, 1911.

MY LORD,—I have the honour to transmit to Your Excellency for the consideration of your Ministers a copy of a letter from the Admiralty asking whether in the circumstances stated, your Government would be willing to instruct the  
July 25. Officer in Charge of the Canadian Naval Establishment at Esquimalt to make such small payments on behalf of the Admiralty as may be necessary during



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the absence from Esquimalt of His Majesty's Ship *Shearwater*, the cost to be recovered on the return of that vessel to port.

I have, &amp;c.,

GOVERNOR GENERAL,

L. HARCOURT.

HIS EXCELLENCY,

THE RIGHT HONOURABLE,

EARL GREY, G.C.M.G., G.C.V.O., &amp;c., &amp;c.

Enclosure in No. 7.

No. 3. E. 3766.

ADMIRALTY, 25th July, 1911.

SIR,—I am commanded by My Lords Commissioners of the Admiralty to inform you that it has been represented by the Commanding Officer, H.M.S. *Shearwater*, which was commissioned at Esquimalt for service on the West Coast of America, that difficulty is experienced from time to time, during the absence of the ship from Esquimalt, in settling small accounts for contingencies, such as carriage of stores and the Hospital treatment of Naval Invalids, which require prompt settlement.

In these circumstances, I am to request that you will move Mr. Secretary Harcourt to enquire whether the Canadian Government would be willing to instruct the Officer in Charge of the Canadian Naval Establishment at Esquimalt to make such small payments as may be necessary on behalf of this Department during the absence of His Majesty's Ship *Shearwater* on cruises and reclaim the cost from the Accountant Officer of that ship on her return to the port.

I am to add that it is anticipated that such disbursements will be quite trivial in amount.

I am, etc.,

C. I. THOMAS.

The Under-Secretary of State,

Colonial Office.

No. 8.

*From the First Minister to the High Commissioner for Canada:*

TELEGRAM.

OTTAWA, 10th August, 1911.

DOMINION,

London.

Canadian Government gratefully appreciates the assistance rendered to the *Niobe* by the *Cornwall* and as while so engaged the *Cornwall* suffered damage, the Canadian Government wish to bear whatever expense may be incurred in the repair of that vessel. Please convey this through the Colonial Office to the Admiralty.

LAURIER.

No. 9.

*From the Secretary of State for the Colonies to the Governor General:*

CANADA.

No. 681.

DOWNING STREET, August 16, 1911.

MY LORD,—I have the honour to acknowledge the receipt of your despatch No. 122 of the 8th March on the subject of the official title of the naval forces of Canada.



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2. In reply I have to inform you that the question of the title was discussed with your Ministers and that His Majesty the King has been graciously pleased to approve of the naval forces of Canada receiving the style of the Royal Canadian Navy, and of the ships of war of that Navy being designated as His Majesty's Canadian ships.

I have, &c.,

(Sd.) L. HARCOURT.

GOVERNOR GENERAL

HIS EXCELLENCY

THE RIGHT HONOURABLE

EARL GREY, G.C.M.G., G.C.V., &c., &c., &c.

### No. 10.

*From the Secretary of State for the Colonies to the Governor General:*

CANADA.

Miscellaneous.

DOWNING STREET, August 17, 1911.

MY LORD,—I have the honour to request that Your Excellency will convey to your Ministers an expression of the gratification of His Majesty's Government at receiving representatives of the Military and Naval Forces of the Overseas Dominions for the purpose of taking part in the Coronation Festivities which have just terminated.

2. His Majesty's Government feel that the association of the Contingents in London had a good effect in bringing together officers and men from the widely severed portions of the Empire.

3. The most favourable impression was created by the appearance of the Troops on the Coronation Days as well as at the Parade to St. Paul's Cathedral on the 18th of June, and also at the Parade on the 30th of June, when His Majesty was pleased to present them with the Coronation Medal. The detachment of the 79th Cameron Highlanders of Canada were inspected by His Royal Highness the Duke of Connaught at Aldershot on the 1st of July. This detachment was granted the Coronation Medal in the same proportion as was adopted in the case of the Regular Army.

4. Much interest was caused by the inspection made by His Royal Highness the Prince of Wales, by Lord Haldane, the Secretary of State for War, and by Viscount Kitchener, of Khartoum, Field Marshall Commanding the Coronation Troops.

5. His Majesty's Government trust that the Troops will carry back with them a pleasant recollection of their visit.

I have, &c.,

(Sd.) L. HARCOURT.

GOVERNOR GENERAL,

HIS EXCELLENCY,

THE RIGHT HONOURABLE,

EARL GREY, G.C.M.G., G.C.V.O., &c., &c.

### No. 11.

*From the Secretary of State for the Colonies to the Governor General:*

CANADA.

No. 694.

DOWNING STREET, August 18, 1911.

MY LORD,—I have the honour to transmit to Your Excellency, for the July 22. information of your Ministers, the accompanying copy of a letter from the



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Admiralty, from which it will be observed that in the case of all Officers and men of the Royal Navy hereafter lent to the Dominion Governments, on whose account a liability for retired pay or pension is incurred by the Admiralty, a stipulation will be made that the Government concerned must bear the non-effective charge.

I have, &c.,

(Sd.) L. HARCOURT.

GOVERNOR GENERAL,

HIS EXCELLENCY,

THE RIGHT HONOURABLE,

EARL GREY, G.C.M.G., G.C.V.O., &c., &c., &c.

### Enclosure in No. 11.

C.W. 4271.

ADMIRALTY, July 22, 1911.

SIR,—I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of the Secretary of State for the Colonies, that His Majesty's Treasury has suggested that when Officers and men of the Royal Navy are lent to Colonial and Foreign Governments the borrowing Government should bear the non-effective as well as the effective charge for the period of employment.

My Lords have concurred in the adoption of this principle, and in the case of all Officers and men lent to the Colonies in future on whose account a liability for retired pay or pension is incurred by the Admiralty, a stipulation will be made that the Government concerned must bear the non-effective charge.

I am, &c.,

(Sd.) J. H. BROOKS,  
*for Secretary.*

THE UNDER SECRETARY OF STATE,  
COLONIAL OFFICE.

### No. 12.

*From the Secretary of State for the Colonies to the Governor General:*

CANADA.

No. 731.

DOWNING STREET, August 31, 1911.

H. Commr.,  
11th Aug.

C.O. to H. Commr.,  
30th Aug.

MY LORD,—I have the honour to transmit to Your Excellency for the information of your Ministers, copy of correspondence with the High Commissioner for Canada on the subject of the cost of the repairs of His Majesty's ship *Cornwall*.

I have, &c.,

L. HARCOURT.

GOVERNOR GENERAL,

HIS EXCELLENCY,

THE RIGHT HONOURABLE,

EARL GREY, G.C.M.G., G.C.V.O., &c., &c.

### Enclosure 1 in No. 12.

17 VICTORIA STREET,

LONDON, S.W., August 11, 1911.

Me. 3/91.

SIR,—I have the honour to inform you that a cablegram has been received from Sir Wilfrid Laurier stating that the Government of Canada gratefully appreciates



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the great assistance rendered to H.M.C.S. *Niobe* by H.M.S. *Cornwall*, and adding that as while so engaged the *Cornwall* sustained damage, the Canadian Government wish to bear whatever extra expense will be incurred for repair of that vessel.

I shall be glad if Mr. Secretary Harcourt will be so good as to convey this message to the Lords Commissioners of the Admiralty.

I am, &c.,

(Sgd.) STRATHCONA.

The Under Secretary of State,  
Colonial Office, S.W.

Enclosure 2 in No. 12.

Copy.

27870/1911.

DOWNING STREET, August 30, 1911.

MY LORD,—With reference to the letter from this office of August 16, I am directed by Mr. Secretary Harcourt to transmit to you for your information, copy of a letter from the Admiralty on the subject of the offer of the Canadian Government to pay the whole cost of the repairs of His Majesty's ship *Cornwall*. Copies of the correspondence on this subject are being forwarded to the Governor General.

I am, &c.,

H. W. JUST.

The High Commissioner for Canada.

Enclosure 3 in No. 12.

M. 13572.

ADMIRALTY, 24th August, 1911.

SIR,—With reference to your letter of the 16th instant, No. 26478/1911, stating that the Canadian Government wish to bear whatever extra expense is incurred for the repair of H.M.S. *Cornwall* which was damaged whilst proceeding to the assistance of H.M.C.S. *Niobe*, I am to request that the Secretary of State for the Colonies will convey to the Government of Canada their Lordships' high appreciation of this generous and courteous offer, which they gratefully accept, so far as such repairs as are to be carried out at Halifax to enable the vessel to proceed to her home port are concerned.

2. Whilst they fully recognize the generous spirit which prompted the Canadian Government to take upon themselves the cost of all the extra expenses incurred, My Lords feel that the cost of the permanent repairs to the ship, which will be carried out at a Home Dockyard, ought properly to be borne by Imperial Funds and should not fall on the Dominion.

I am, etc.,

C. I. THOMAS.

The Under-Secretary of State,  
Colonial Secretary.



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## No. 13.

*From the High Commissioner for Canada to the First Minister:*LONDON, ENG., Sept. 1, 1911,  
via OTTAWA, ONT., Sept. 2, 1911.SIR WILFRID LAURIER,  
Amherst, N.S.

With reference to your telegram 10th August, Admiralty expresses high appreciation of generous and courteous favour. Gratefully accepts so far as expenses at Halifax are concerned for temporary repairs to *Cornwall* to enable it to reach British ports. Whilst recognizing that generous spirit which has prompted the favour, Admiralty considers that cost of permanent repairs should be borne by Imperial funds.

STRATHCONA.

## No. 14.

*From the Secretary of State for the Colonies to the Governor General:*

CANADA.

No. 756.

DOWNING STREET, 13th September, 1911.

MY LORD,—With reference to my despatch No. 573 of the 14th July, I have the honour to transmit to your Excellency, for the information of your Ministers, the accompanying copy of correspondence with the Acting Governor of Newfoundland, on the subject of the status of the Dominion Navies.

I have the honour to be, My Lord,

Your Lordship's most obedient humble servant,

(Signed) L. HARCOURT.

GOVERNOR GENERAL

HIS EXCELLENCY

THE RIGHT HONOURABLE

EARL GREY, G.C.M.G., G.C.V.O., &amp;c., &amp;c., &amp;c.

## Enclosure 1 in No. 14.

Newfoundland.

No. 70.

GOVERNMENT HOUSE,

ST. JOHN'S, August 14, 1911.

SIR,—In reference to your despatch, No. 155, of July 14 relating to the Status of August 12, 1911. Dominions Navies, which I laid before Ministers, with a copy of the Memorandum of Conference between the British Admiralty and representatives of the Dominion of Canada and Australia, I have the honour to transmit a communication received by me to-day from the Prime Minister.

I have, &amp;c.,

(Sgd.) W. H. HORWOOD.

The Right Honourable

LEWIS HARCOURT,

&amp;c., &amp;c., &amp;c.



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## Enclosure 2 in No. 14.

PRIME MINISTER'S OFFICE,

ST. JOHN'S, NEWFOUNDLAND, August 12, 1911.

*His Excellency the Administrator,*

I have the honour to acknowledge the receipt of your communication covering despatch No. 155 in original, from the Right Honourable the Secretary of State for the Colonies, with accompanying copy of a memorandum of a conference between the British Admiralty and the representatives of the Dominion of Canada and the Commonwealth of Australia, on the subject of the Status of Dominion Naval Forces.

I return herewith the despatch as well as the memorandum, and would be grateful if you arrange to let me have a copy of both these documents if you should have them in the office.

I had not an opportunity of submitting to Ministers the memorandum referred to until last evening, and I now desire to convey to you an expression of their opinion in relation to it with the request that you may be good enough to transmit the same to the Secretary of State for the Colonies.

The memorandum purports to be copy of a memorandum of a conference between the British Admiralty and representatives of the Dominion of Canada and the Commonwealth of Australia on the subject of the Status of Dominion Naval Forces. In paragraph 2 of the despatch, covering this Memorandum and signed by the Secretary of State, Mr. Harcourt says: 'This matter was mentioned at the last meeting of the Imperial Conference on June 20 and it was agreed that it should be published simultaneously in this country and in Canada and the Commonwealth.'

It might be implied from this paragraph that the subject matter of the memorandum, the details of the document and the principles embodied therein, might have been disclosed at the Imperial Conference, or that a copy of it might have been read to the Conference. This, however, was not done. It will be found by reference to the Minutes of the last meeting of the Imperial Conference that the only reference to this matter made at that meeting was from Mr. Pearce, one of the representatives of the Australian Government at the Imperial Conference, who merely referred to the conferences which were taking place at the Admiralty between that body and the representatives of the Canadian and Australian Governments, with regard to the Status of Dominion Naval Forces, and their co-operation with the Royal Navy. It was then agreed, on the suggestion of Mr. Harcourt that a memorandum embodying the conclusions reached at the Conference between the British Admiralty and the representatives of the Dominion and Commonwealth referred to, should, when drawn up, be incorporated amongst the papers to be published in connection with the Imperial Conference. But the terms which the said memorandum was to contain of them were never suggested or foreshadowed, and you will notice by the reports of the Imperial Conference that there is no record of its having been tabled or presented.

By reference to schedule 'A' of the memorandum in question it appears that the Canadian Atlantic station includes the waters north of 30 degrees north latitude, and west of the meridian 40° west longitude. This includes the waters surrounding Newfoundland and you will observe that under the provisions of paragraph 4 of the memorandum, the Canadian Government may establish their stations in the waters referred to in schedule 'A.'

Although this memorandum between the British Admiralty and the Canadian Government could in no way confer any right on that Government to come into the territorial waters of Newfoundland, and will confer on them no more rights than are held and possessed by the navies of any foreign power, it is open to a contrary inference which is likely to create a feeling of doubt and uncertainty in the Dominion affected by this memorandum.



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Ministers would strongly contend, and would do so successfully, that the rights enjoyed by the community of Newfoundland cannot be lessened, parted with, changed or ceded without their consent and that the constitutional mode of procuring that consent is through the Legislature of Newfoundland which consent would be essential preliminary to the slightest modification of their territorial or maritime rights, and Ministers feel satisfied that this contention must be borne out by His Majesty's Government, and indeed, that the Canadian and Australian Governments, themselves would be the very last to contend for a contrary position.

With a view, therefore, of there being no misunderstanding hereafter, Ministers suggest that the attention of the Canadian Government be drawn by the Secretary of State for the Colonies to this matter, and that it be made clear that the zone in which their navy may operate in the North Atlantic waters should in no degree encroach on Newfoundland's territorial and maritime waters, and that it be pointed out to them that the memorandum referred to in no way alters the status existing previous to the drawing of that memorandum.

The Newfoundland Government, or its representatives at the Imperial Conference, were not consulted in relation to this memorandum, nor were the Newfoundland members of the Conference present when the terms of the memorandum were agreed upon, nor were they given any opportunity of considering its principles or details and the writer saw it for the first time when it was forwarded by your Excellency a few days ago.

(Sgd.) E. P. MORRIS,

*Prime Minister.*

August 12, 1911.

### Enclosure 3 in No. 14.

Newfoundland.  
No. 215.

DOWNING STREET, September 13, 1911.

SIR,—I have the honour to acknowledge the receipt of your despatch No. 70 of August 14, transmitting a communication from your Prime Minister on the subject of the status of Dominion Navies.

2. In reply I have to request that you will inform your Ministers that the Canadian stations were formed for the purpose of assigning to the Canadian Fleet a definite area of action in the same manner as Commanders in Chief of Stations abroad have a definite command, and in the arrangements discussed with the Canadian Ministers, Newfoundland was expressly excluded as requiring special provisions. In determining the limits of the Canadian Atlantic Station there was no intention on the part of His Majesty's Government or of the Government of Canada to alter the existing position with regard to the control and jurisdiction of the Government of Newfoundland over its territorial waters, or to empower the Dominion Government to establish a station in those waters without the consent of the Government of Newfoundland.

3. The supervision of the Newfoundland fisheries is now carried out by a ship of the Imperial Navy, and there is no present intention of disturbing this arrangement.

4. I trust that this statement will be satisfactory to your Ministers.

5. I am sending a copy of the correspondence to the Governor General of the Dominion of Canada for the information of his Ministers.

I have the honour to be, sir,

Your most obedient, humble servant,

(Signed) L. HARCOURT.

The Officer Administering  
The Government of Newfoundland.



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**No. 15.***From the Governor General to the Secretary of State for the Colonies.*

Canada.

No. 817.

GOVERNMENT HOUSE.

OTTAWA, September 23, 1911.

SIR,—With reference to your Despatch No. 650 of August 3, No. 5, covering a copy of a letter from the Admiralty, I have the honour to forward, herewith, for transmission to the Admiralty, a copy of a letter from the Department of September 18.

His Majesty's Canadian Secretary of State for External Affairs reporting that the Minister of the Naval Service entertains no objection to the adoption of the course proposed in Sir Charles Thomas' letter as regards His Majesty's Ship *Shearwater* or any other of His Majesty's ships on the station.

I have, etc.,

The Right Honourable

GREY.

LEWIS V. HARCOURT, M.F.,

Secretary of State for the Colonies.

**Enclosure in No. 15.***From the Under Secretary of State for External Affairs to the Governor General's Secretary.*

No. 650.

OTTAWA, September 18, 1911.

SIR,—With reference to a despatch from the Secretary of State for the Colonies to His Excellency the Governor General, dated August 3, 1911, I have the honour to state that the Minister of the Naval Service entertains no objection to the adoption of the course proposed in Sir Charles Thomas' letter of July 25 last as regards H.M.S. *Shearwater* or any other of His Majesty's Ships on the station and to suggest that His Excellency the Governor General may be humbly moved to cause an intimation to this effect to be conveyed to the Lords of the Admiralty.

I have, etc.,

JOSEPH POPE,

*Under-Secretary of State**for External Affairs.***No. 16.***To the Governor General from the Secretary of State for the Colonies.*

Canada.

No. 869.

DOWNING STREET, October 28, 1911.

SIR,—I have the honour to transmit to your Royal Highness, for the information of your Ministers, the papers noted below on the subject of payments on behalf of His Majesty's Ships by the Officer in Charge of the Canadian Naval Establishment at Esquimalt.

I have, etc.,

The Officer Administering

L. HARCOURT.

the Government of

Canada.



2 GEORGE V., A. 1912

Date.	Description.
1911. October 20.. . . .	From the Admiralty.

## Enclosure in No. 16.

E. 5876/5509.

AMIRALTY. October 20, 1911.

SIR,—Adverting to your letter of the 5th instant, No. 32,135, I am commanded by my Lords Commissioners of the Admiralty to request you to move Mr. Secretary Harcourt to cause an expression of their Lordships' thanks to be conveyed to the Minister of the Canadian Naval Service for his courtesy in acquiescing in the request of this Department that small payments at Esquimalt falling due during the absence of any of His Majesty's Ships may be made by the Officer in Charge of the Canadian Naval Establishment at that port and reclaimed by him from the Accountant Officers of such ships on their return.

The necessary instructions have been issued to the Commander in Charge, West Coast of America.

I am, etc.,

W. GRAHAM GREENE.

The Under-Secretary of State,  
Colonial Office, S.W.

## No. 17.

*From His Royal Highness the Governor General to the Secretary of State for the Colonies.*

Canada.

No. 583.

GOVERNMENT HOUSE,

OTTAWA, November 4, 1911.

SIR,—I have the honour to forward, herewith, for transmission to the Admiralty, a copy of a letter from the Acting Secretary of State for External Affairs covering a copy of an Order-in-Council with respect to Courts Martial.

I am, etc.,

ARTHUR.

The Right Honourable  
LEWIS V. HARCOURT, M.P.,  
Secretary of State for the Colonies.



SESSIONAL PAPER No. 40d

## Enclosure 1 in No. 17.

*To His Royal Highness the Governor General:*

The undersigned has the honour to submit, herewith, copy of an Order of Your Royal Highness in Council, dated October 25, 1911, with respect to Courts Martial, and to recommend that a copy of this Order may be forwarded to the Secretary of State for the Colonies for the information of the Lords of the Admiralty, to the end that the latter may be acquainted with the arrangements made by the Canadian Government in order to admit of joint action between the Imperial and Canadian Naval Authorities in connection with Courts Martial.

Humbly submitted:

GEORGE H. PERLEY,

*For the Secretary of State for External Affairs.*

OTTAWA, October 28, 1911.

## Enclosure 2 in No. 17.

Copy.

P.C. 2485.

AT THE GOVERNMENT HOUSE AT OTTAWA,

WEDNESDAY, October 25, 1911.

PRESENT:

## HIS ROYAL HIGHNESS THE GOVERNOR GENERAL IN COUNCIL.

His Royal Highness the Governor General in Council is pleased under the provisions of the Naval Service Act to order and it is hereby ordered as follows:—

1. That all powers and duties vested in or imposed upon the Admiralty or the Lords of the Admiralty under the provisions of Part IV ('Courts Martial') of the Naval Discipline Act 1866 and under Chapter VII of the King's Regulations and Admiralty instructions (Courts Martial) shall be exercised and performed by the Minister of the Naval Service. And the powers and duties vested in or imposed upon the Secretary of the Admiralty under the said provisions shall be exercised and performed by the Deputy Minister of the Naval Service.

2. That the Minister of the Naval Service shall have power to grant commissions to any officer in the Naval Service on full pay or with the consent of the Lords Commissioners of the Admiralty to any officer in His Majesty's Navy on full pay authorizing such officer to order Courts Martial.

3. That with the approval of the Minister, and with the consent of the Lords Commissioners of the Admiralty, Officers of His Majesty's Navy may sit as members of a Court Martial.

4. That a Court Martial shall not be held unless at least two of His Majesty's Canadian ships not being tenders, and commanded by captains, commanders or lieutenants of the Naval Service on full pay, or one such Canadian Ship and a Ship of His Majesty's Navy not being a tender, and commanded by a captain, commander or lieutenant of His Majesty's Navy on full pay, are together at the time when such Court Martial is held.

5. That a Court Martial shall be held on board of one of His Majesty's Canadian Ships or vessels of war or on a ship or vessel of war of His Majesty's Navy.

6. That any amendments to the King's Regulations and Admiralty Instructions, published in the Addenda 1911, relating to Courts Martial, passed after the coming into force of the Naval Service Act, in so far as the same may be applicable, shall apply to the Naval Service.

RODOLPHE BOUDREAU,

*Clerk of the Privy Council.*



2 GEORGE V., A. 1912

## No. 18.

*From the Secretary of State for the Colonies to the Governor General.*

Canada.

No. 912.

DOWNING STREET, November 15, 1911.

SIR,—I have the honour to request Your Royal Highness to inform your Ministers that I understand from a telegram received by the Admiralty on October 20, from Rear Admiral Kingsmill, that an agreement between your Government and the Marconi Company provides that the Canadian Naval Service shall be deemed to be part of the Royal Navy as regards any agreement in force between the Admiralty and the Company.

2. I do not appear to have been furnished with any copy of this agreement and as it is of importance to His Majesty's Government in connection with the general question of wireless telegraphy, I shall be glad to be furnished with three copies as soon as possible.

I have the honour to be, sir,

Your Royal Highness's most obedient

humble servant,

(Sgd.) L. HARCOURT.

Governor General

His Royal Highness

THE DUKE OF CONNAUGHT AND STRATHEARN, K.G., K.T., K.P.,

G.C.B., G.C.S.I., G.C.M.G., G.C.I.E., G.C.V.O.,

&amp;c., &amp;c., &amp;c.

## No. 19.

*From the Deputy Minister of the Naval Service to the Under-Secretary of State for External Affairs.*

OTTAWA, December 5, 1911.

SIR,—I have the honour to request that you will inform the Secretary of State for the Colonies, with reference to Paragraph 3 of the 'Memorandum of Conferences between the British Admiralty and Representatives of the Dominion of Canada and Australia,' that the distinctive flag to be flown at the jack staff of H. M. Canadian ships will be the Blue Ensign with the Canadian arms in the Fly, and that, in accordance with the conclusions of the Conference, embodied in the Memorandum, the Naval Ships of the Dominion of Canada will hoist the White Ensign at the stern, and will fly the White Pendant.

I have the honour to be, sir,

Your obedient servant,

G. J. DESBARATS,

*Deputy Minister.*

The Under-Secretary of State  
for External Affairs,  
Ottawa.



SESSIONAL PAPER No. 40d

No. 20.

P. 43.

CERTIFIED *copy of a Report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on December 19, 1911.*

The Committee of the Privy Council have had before them a report, dated December 7, 1911, from the Secretary of State for External Affairs, stating, with reference to Paragraph 111 of the Memorandum of Conferences between the British Admiralty and representatives of the Dominion of Canada and the Commonwealth of Australia, laid before the Imperial Conference at its last meeting,—that the Naval Ships of the Dominion of Canada will hoist at the stern the White Ensign as the symbol of the authority of the Crown, and will fly the White Pendant.

The Minister observes that it is proposed also to fly as a distinctive flag of the Dominion the Blue Ensign with the Canadian Arms in the Fly.

The Committee, on the recommendation of the Secretary of State for External Affairs, advise that Your Royal Highness may be pleased to forward a copy hereof to the Right Honourable the Principal Secretary of State for the Colonies for the information of His Majesty's Government.

All of which is respectfully submitted for approval.

RODOLPHE BOUDREAU,

*Clerk of the Privy Council.*

*From the Secretary of State for the Colonies to the Governor General.*

Canada.

No. 10.

DOWNING STREET, January 6, 1912.

SIR,—I have the honour to transmit to you, for communication to your Ministers, copies of the Naval Discipline (Dominion Naval Forces) Act of the Imperial Parliament.

2. Your Ministers will observe from section 1 (2) of the Act that it will not come into operation in relation to the ships or forces of a self-governing Dominion unless provision to that effect is made in the Dominion.

I have, etc.,

L. HARCOURT.

Governor General

His Royal Highness

THE DUKE OF CONNAUGHT AND STRATHEARN, K.G., K.T., K.P.,

G.C.B., G.C.S.I., G.C.M.G., G.C.I.E., G.C.V.O.,

&c., &c., &c.

Enclosure in No. 21.

[1 & 2 Geo. 5.]

[Ch. 47.]

*Naval Discipline (Dominion Naval Forces) Act, 1911.*

#### CHAPTER 47.

An Act to declare the effect of the Naval Discipline Acts when applied by the legislatures of self-governing Dominions to the Naval Forces raised by such Dominions.

Be it enacted by the King's most Excellent Majesty, by and with the advice of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—



2 GEORGE V., A. 1912

[16th December 1911.]

1.—(1) Where in any self-governing dominion provision has been made (either before or after the passing of this Act) for the application to the naval forces raised by the dominion of the Naval Discipline Act, 1866, as amended by any subsequent enactment, that Act, as so amended, shall have effect as if references therein to His Majesty's Navy and His Majesty's ships included the forces and ships raised and provided by the dominion, subject, however—

- Discipline Acts as applied to naval forces of self-governing dominions, as so amended, shall have effect as if references therein to His Majesty's Navy and His Majesty's ships included the forces and ships raised and provided by the dominion, subject, however—
- 29 & 30 Vict. c. 109.
- (a) in the application of the said Act to the forces and ships raised and provided by the dominion, and the trial by court-martial of officers and men belonging to those forces, to such modifications and adaptations (if any) as may have been or may be made by the law of the dominion to adapt the Act to the circumstances of the dominion, including such adaptations as may be so made for the purpose of authorizing or requiring anything, which under the said Act is to be done by or to the Admiralty or the Secretary of the Admiralty, to be done or to be done by or to the Governor General or by or to such person as may be vested with the authority by the Governor General in Council; and
- (b) in the application of the said Act to the forces and ships of His Majesty's Navy not raised and provided by a self-governing dominion, to such modifications and adaptations as may be made by His Majesty in Council for the purpose of regulating the relations of the last-mentioned forces and ships to the forces and ships raised and provided by the self-governing dominions or any of them:

Provided that, where any forces and ships so raised and provided by a self-governing dominion have been placed at the disposal of the Admiralty, the said Act shall apply without any such modifications or adaptations as aforesaid.

(2) This Act shall not come into operation in relation to the forces or ships raised and provided by any self-governing dominion, unless or until provision to that effect has been made in the dominion.

(3) For the purposes of this Act, the expression 'self-governing dominion' means the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, and Newfoundland.

Short title. 2. This Act may be cited as the Naval Discipline (Dominion Naval Forces Act, 1911.